

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

115

CR No.6029 of 2017  
Date of decision: 13.03.2018

Reena

..... Petitioner

Versus

Hitender

..... Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present:- Mr. Aayush Gupta, Advocate  
for the petitioner.

Ms. Alisha Soni, Advocate  
for the respondent.

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**ANIL KSHETARPAL, J. (ORAL)**

Wife-petitioner is in the revision petition against the order passed by the learned trial Court fixing maintenance pendente @ Rs.5,000/- per month.

Learned counsel for the petitioner has drawn attention of the Court to registration certificates of two trucks-heavy goods vehicles (Annexure P-3 and Annexure P-4) owned by the husband-respondent. He has also drawn attention of the Court the copy of Jamabandi (Annexure P-5) according to which the husband-respondent is owner of 1/3<sup>rd</sup> share in the land measuring 49 kanals and 18 marlas. He submits that as the husband is a transporter, the maintenance pendente lite awarded by the Court is insufficient and on the lower side.

On the other hand, learned counsel for the respondent-husband has submitted that the husband has already sold all the trucks and he has

also transferred the entire agriculture land in favour of his brother. She submits that the husband is unemployed and therefore, the maintenance awarded by the Court is correct.

It is not disputed that the respondent was owner of two trucks. It is further not in dispute that respondent-husband was owner of 1/3<sup>rd</sup> share in the land measuring 49 kanals and 18 marlas situated in the national capital region.

In view of the aforesaid facts, the maintenance pendente lite awarded by the Court appears to be wholly insufficient. Keeping in view the status of the parties, this Court is of the considered view that the petitioner-wife shall be entitled to maintenance pendente lite @ Rs.12,000/- per month from the date of application till disposal of the petition under Section 13 of the Hindu Marriage Act.

Revision petition is allowed.

**13.03.2018**  
Dinesh Bansal

**( ANIL KSHETARPAL )**  
**JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No